

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOME-A-NATION, LLC,

Plaintiffs,

v.

BLUE SKY INTERNATIONAL, INC.
and TURF NATION, INC.,

ORDER

No. 20-CV-05862 (PMH)

Defendants.

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PHILIP M. HALPERN, United States District Judge:

On March 30, 2021, the Court issued an Order directing Plaintiff to supplement its motion for a default judgment by April 30, 2021, by filing affidavit(s) of person(s) with personal knowledge, the contract(s) or other agreements at issue, proof of payment of the amount(s) in controversy, and any other documents necessary to permit the Court to enter the requested default judgment. (Doc. 32). Plaintiff was further directed to set forth, with citation to relevant law and documentary support, why it should be permitted to recover from defendant Turf Nation, Inc. in the absence of privity between the parties. (*Id.*).

On April 9, 2021, Plaintiff filed a letter advising the Court that defendant Blue Sky International, Inc. (“Blue Sky”) filed a Chapter 7 Bankruptcy Petition in the Eastern District of Pennsylvania on March 18, 2021. (Doc. 34). Since that April 9, 2021 letter Plaintiff has not filed any further submissions with the Court, and to date, Plaintiff has failed to comply with the Court’s March 30, 2021 Order.

Accordingly, to the extent Plaintiff intends to proceed with its motion for a default judgment, it is directed to comply with the Court’s March 30, 2021 Order by May 21, 2021. In addition, Plaintiff is directed to include in its supplemental submission a discussion of the effect

of Blue Sky's bankruptcy proceeding on this motion for a default judgment and this action. Plaintiff is reminded that failure to comply with the Court's Orders may result in dismissal of its action.

Any opposition to Plaintiff's supplemental submission shall be served and filed no later than June 11, 2021. Plaintiff is directed to serve a copy of this Order on Defendants, and shall file proof of such service no later than May 14, 2021.

SO ORDERED:

Dated: White Plains, New York
May 7, 2021


Philip M. Halpern
United States District Judge